

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

ERICK JEANTY,

Plaintiff,

v.

Case No. _____

NIA MAUREEN NEWTON,

Defendant

COMPLAINT

Plaintiff, by counsel, hereby moves this Court for judgment and execution against the Defendant for the following:

1. Plaintiff, Erick Jeanty, is, and at all relevant times has been, a resident of the State of New York.
2. Defendant, Nia Maureen Newton, is, and at all relevant times has been, a resident of the Commonwealth of Virginia.
3. This cause of action arose within the Commonwealth of Virginia and specifically, within the Eastern District of Virginia in the Newport News Division of this Court on or about March 24, 2022.
4. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1332 in that the citizenship of the parties is diverse and the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs.
5. This Court is the proper venue for this case pursuant to 28 U.S.C. §1391.

6. On or about March 24, 2022, Plaintiff was driving his vehicle in a careful, prudent, and non-negligent manner.

7. At the time of the accident, Plaintiff's vehicle was stopped at a red traffic signal.

8. At the same time and place, Defendant was operating her vehicle in a careless, reckless, wanton, and willful manner, in that among other things, she was driving under the influence of alcohol, she was driving too fast for conditions then and there existing, she failed to obey the appropriate traffic rules, and she drove her vehicle directly into the back of the vehicle being driven by the Plaintiff.

9. At the accident scene, Defendant unreasonably refused to submit to a test of her blood alcohol content.

10. At the time of the accident, Defendant was intoxicated.

11. At the time Defendant began drinking alcohol, and during the time she was drinking alcohol, she knew, or should have known, her ability to operate a motor vehicle was impaired.

12. Defendant's intoxication was a proximate cause of the accident and the injury to Plaintiff.

13. As a direct result of Defendant's conduct, this accident occurred.

14. As a direct result of Defendant's conduct, Plaintiff suffered significant injuries, and has continued to treat for those injuries.

15. As a direct result of Plaintiff's injuries, he has incurred substantial medical bills, suffered great pain, mental anguish, and inconvenience, has been unable to handle his normal day-to-day affairs or work at his calling, and has generally been adversely affected by the accident. It is anticipated Plaintiff will suffer from all the above into the future.

16. Defendant's conduct gives rise to not only compensatory damages, but punitive damages pursuant to Virginia Code Section 8.01-44.5.

WHEREFORE, Plaintiff prays for judgment and execution against the Defendant in the amount of **ONE HUNDRED SEVENTY TWO THOUSAND FOUR HUNDRED SIXTY SEVEN AND 87/100 DOLLARS (\$172,467.87)** compensatory damages and **ONE HUNDRED SEVENTY FIVE THOUSAND AND NO/100 DOLLARS (\$175,000.00)** punitive damages. Plaintiff also requests pre and post-judgment interest of all his costs in pursuing this matter.

Plaintiff requests a trial by jury.

ERICK JEANTY

By 

Of Counsel

Robert J. Haddad, Esq. (VSB No. 22298)
**RULOFF, SWAIN, HADDAD, MORECOCK,
TALBERT & WOODWARD, P.C.**
317 30th Street
Virginia Beach, VA 23451
P: (757)671-6000
F: (757)671-6004